

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PHARMASTEM THERAPEUTICS, INC., a
Delaware corporation,

Plaintiff,

v.

VIACELL, INC., a Delaware corporation,
OBSTETRICAL AND GYNECOLOGICAL
ASSOCIATES, P.A., FEMPARTNERS, INC., a
Delaware corporation and CARITAS ST.
ELIZABETH'S MEDICAL CENTER OF
BOSTON, INC., a Massachusetts Nonprofit
Corporation,

Civil Action No. 04-CV-11673 RWZ

Defendants.

**[PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR AN
INJUNCTION ENJOINING VIACELL FROM TAKING FURTHER
ACTION IN CIVIL ACTION NO. 04-1334-GMS IN THE DISTRICT
COURT FOR THE DISTRICT OF DELAWARE**

Having considered Plaintiff's Motion for an Injunction Enjoining ViaCell from Taking Further Action in Civil Action No. 04-1334-GMS in the District Court for the District Of Delaware and memorandum in support thereof, and having considered the materials and arguments presented to the Court in support and opposition thereto,

IT IS HEREBY ORDERED THAT:

(a) ViaCell is enjoined from taking any further action in Civil Action No. 04-1334-GMS in the District Court for the District of Delaware, including but not limited to appearing at oral argument, filing any paper not authorized by this Order or subsequent Order of this court, and taking any discovery.

(b) ViaCell must, within one business day, inform the District Court for the District of Delaware of this Court's Injunction by filing this Order in Civil Action No. 04-1334-GMS in the District of Delaware, and serving this Order on all parties to that action.

(c) ViaCell must, within one business day, file a Stipulation of Dismissal in Civil Action No. 04-1334-GMS in the District of Delaware dismissing all claims by ViaCell against PharmaStem pending in that Action.

DATED: _____

Rya W. Zobel
United States District Court Judge